

### **7.1.0 UNSUBSIDIZED EMPLOYMENT**

Unsubsidized employment is the highest and most desirable rung on the W-2 employment ladder. The FEP must first consider unsubsidized employment for all W-2 applicants. Applicants who meet the financial and nonfinancial eligibility criteria are not entitled to a W-2 employment position. If the applicant meets the eligibility criteria, but is employed or has a strong employment history and skills, the applicant may be placed on the Unsubsidized Employment (UE) rung of the W-2 ladder.

For the purpose of gathering more detailed data on individuals placed in Unsubsidized Employment, the CARES system contains Unsubsidized Employment placement codes. These codes define a particular reason for the Unsubsidized Employment placement.

Unemployed applicants who are ready for unsubsidized employment may be placed on the UE rung and coded as CMS. Applicants who are employed when they apply for W-2 may be placed on the UE rung and coded as CMU. Employed participants who have moved up the W-2 ladder to unsubsidized employment must be placed on the UE rung and coded as CMF.

Participants placed on the UE rung are not subject to either federal or W-2 employment position time limits.

UE participants are not eligible for formal assessment services funded by the W-2 agency. When the FEP believes that a barrier to unsubsidized employment may exist, the participant should be tentatively placed in a W-2 employment position until necessary assessments are complete. (See 5.1.0)

#### **7.1.1 Unemployed Individuals Capable of Obtaining Employment (CMS)**

Unemployed individuals who have been assessed as having the capability of obtaining full-time employment may be placed on the Unsubsidized Employment rung and coded as CMS as long as they continue to meet financial and nonfinancial eligibility criteria. However, individuals may only be identified by the code CMS if they state in writing that they wish to receive case management services.

Prior to placing an unemployed individual in Unsubsidized Employment because they are determined to be capable of immediate, full-time employment, the FEP must conduct a thorough informal assessment and document the reasons for the placement decision.

If the FEP is uncertain or unable to support in writing the placement of an unemployed individual into Unsubsidized Employment, it may be appropriate to place the individual in a Trial Job or CSJ employment position.

Unemployed individuals placed in Unsubsidized Employment must receive intensive case management services from the FEP to facilitate employment at the earliest opportunity. The FEP must maintain regular and frequent contact (at least once per week) with unemployed participants. During these weekly contacts, the FEP should evaluate whether providing case management services is still appropriate, and document the results on the CARES case comments screen.

Chapter 7 W-2 EMPLOYMENT LADDER PLACEMENTS

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If the participant is unable to find unsubsidized employment within 30 days, the FEP must consider placing the individual in a Trial Job or a CSJ employment position. In addition to appropriate work activities while in these positions, there must be a strong emphasis on soft skills training, e.g., time management, budgeting, problem solving, etc. For those individuals placed in a CSJ, there must also be a strong focus on job readiness activities, such as job-search, setting up interviews with employers, etc. Placement in a W-2 employment position with a focus on job search will also provide more information to the FEP regarding the individual's capability of obtaining full-time employment.

Individuals who are placed in unpaid employment search may apply for a Job Access Loan to meet immediate employment related needs.

The FEP must place CMS participants who become employed in CMU and offer appropriate CMU services to the employed individual.

**7.1.1.1** *General Characteristics of Unemployed Individuals coded CMS*

An unemployed individual who is appropriate for placement into Unsubsidized Employment and coded CMS has all of the following characteristics:

- Has no barriers to work which cannot be addressed through supportive services;
- Is capable of working and has a willing attitude;
- Has a steady and/or recent work experience;
- Has an education or training background that allows the individual to compete for available jobs in the unsubsidized labor market.

**7.1.1.2** *Case Management Services for Unemployed Individuals coded CMS*

Case management services for unemployed individuals placed in Unsubsidized Employment include, but are not limited to:

- Providing assistance in creating a financial plan;
- Identifying necessary education and training needs, e.g. drivers education, English-as-a-Second Language and obtaining a high school diploma;
- Establishing employment goals;
- Providing information about job openings;
- Improving job interviewing skills;
- Completing job applications;
- Writing a resume;
- Arranging job interviews with employers;
- Providing bilingual support for job contacts and interviews;
- Contacting employers on the individual's behalf;
- Providing information about child care eligibility;
- Assessing possible eligibility for a Job Access Loan (JAL);
- Assessing for eligibility for other work programs, such as Food Stamp Employment and Training (FSET), Workforce Investment Act (WIA).

### **7.1.2 Individuals Working in Unsubsidized Employment (CMU)**

Employed individuals without barriers to full-time employment may be placed on the Unsubsidized Employment rung and coded as CMU as long as they continue to meet financial and nonfinancial eligibility criteria. These individuals may benefit from receiving services geared toward retaining current employment and/or obtaining additional skills to secure a job with increased hours, pay and/or benefits. This includes persons who were working when they entered W-2. Do not code individuals as CMU who graduated to Unsubsidized Employment after moving up the employment ladder from a W-2 employment position (See 7.1.3).

#### **7.1.2.1 Case Management Services for Employed Individuals coded CMU**

Case management services for employed individuals placed in Unsubsidized Employment include, but are not limited to:

- Providing guidance in career decision making skills;
- Exploring career options;
- Identifying vocational opportunities;
- Identifying necessary education and training needs, e.g. drivers education, English-as-a-Second Language and obtaining a high school diploma;
- Creating or updating a resume;
- Developing networking skills;
- Providing referrals to other community resources;
- Providing job survival/retention techniques.

### **7.1.3 Employed Individuals Previously Assigned to a Subsidized Employment Position (CMF)**

The FEP must provide participants who have moved up the W-2 ladder to unsubsidized employment follow-up case management services regardless of nonfinancial and financial eligibility criteria. In addition to providing important information regarding the individual's status, follow-up case management services can help participants make the necessary adjustments to be successful in the world of work. For those W-2 participants who move from a pro-rated CSJ to CMF, the CMF placement must begin when the participant is placed in CMF rather than when the participant initially obtained the employment and was placed in the pro-rated CSJ.

Prior to placing an individual in CMF in CARES, the FEP must verify with the employer that the participant has actually begun to work and validate the wages and hours.

The FEP will provide follow-up case management services for at least 6 months to participants who progress from a W-2 employment position to an unsubsidized position to encourage and support job retention. During the six-month period, the FEP must contact the CMF participant and provide appropriate services on a regular basis. How often contact occurs depends upon each individual case, but at least bi-weekly or monthly contact would be appropriate.

## Chapter 7 W-2 EMPLOYMENT LADDER PLACEMENTS

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The case management services may include:

- Employment skills training;
- English-as-a-Second Language classes if the W-2 agency determines that the course will facilitate the individual's efforts to retain employment;
- A course of study meeting the standards for granting a declaration of equivalency of high school graduation; or
- Other remedial education courses.

Additional case management services for individuals coded CMF are similar to those for individuals coded CMU. (See 7.1.2.1).

As stated above, CMF placements must be for at least six months unless the participant refuses case management or loses his or her job. If the participant refuses case management services, the FEP must document the refusal on CARES screen CMCC. If the participant loses his or her job, he or she must be reassessed to determine if there are possible unidentified barriers. If additional barriers are suspected, the individual must be placed in a W-2 subsidized employment position and offered formal assessment and other appropriate services. If additional barriers are not suspected and the FEP determines that the individual is capable of obtaining additional employment, a CMS placement may be appropriate and the participant must sign a CMS agreement form.

If a CMF placement lasts less than six months, the FEP must also document the reason(s) why on CMCC.

W-2 agencies are encouraged to provide services beyond the 6-month period regardless of the individual's income and asset limit to prevent recidivism and ensure employment stability. There is no time limit on these services. The FEP may also arrange for continued service through other Job Center programs such as WIA.

### **7.1.4 Employability Plan and Reviews**

The FEP may complete an Employability Plan with the Unsubsidized Employment participant in which appropriate activities for obtaining or maintaining unsubsidized employment are outlined. The FEP must maintain regular contact with the participant and update the employability plan to maintain a current and appropriate plan. The necessity for continued case management services must be reviewed frequently by the FEP. (See Chapter 6.)

### **7.1.5 Eligibility for Other Programs**

When an individual is receiving case management services on the Unsubsidized Employment rung of the W-2 ladder or does not meet the W-2 nonfinancial and financial eligibility criteria, the W-2 agency should take steps to ensure that the individual is made aware of other employment services available through the Job Center, such as Workforce Attachment and Advancement and Welfare to Work.

These individuals may also receive child care, FS, MA, Emergency Assistance and other benefits if otherwise eligible. Unsubsidized Employment participants may also receive JALs if otherwise eligible. Participation in the FSET program takes precedence over placement in UE. If a previously FSET exempt UE participant is subsequently determined mandatory for FSET, he/she is subject to FSET program participation requirements in addition to participation in W-2.

#### **7.1.6 Denying or Terminating an Unsubsidized Employment Placement**

If any individual placed in Unsubsidized Employment declines case management services, refuses to state in writing that they wish to receive the services, or does not participate, the FEP must terminate eligibility for the placement. Issue a manual W-2 denial notice. (**NOTE:** A new reason code is being developed to deny or terminate W-2 services for individuals who are placed in Unsubsidized Employment and decline case management services.) There is no penalty involved for non-cooperation in Unsubsidized Employment, although job refusal could affect future W-2 eligibility.

### **7.2.0 SUBSIDIZED EMPLOYMENT**

If good faith attempts to obtain employment have been unsuccessful, or if the FEP determines that an applicant is not prepared for unsubsidized employment, the applicant may be offered one of the three employment positions: Trial Jobs, Community Service Jobs or W-2 Transitions. However, individuals placed in one of the three W-2 employment positions may be required to conduct appropriate ongoing employment search while participating in a W-2 employment position. The agency must continue to assist the participant in ongoing search for unsubsidized employment. (See 5.1.2)

Individuals with farming and self-employment income may be placed in a Trial Job, but in most circumstances will not be placed in an employment position. For marginally employed applicants, see CSJ Participation Requirements.

#### **7.3.0 TRIAL JOBS**

Trial Jobs are W-2 subsidized employment positions contracted between the W-2 agency and an employer. These jobs are expected to become permanent unsubsidized positions. Trial Jobs are intended to encourage employers to give permanent opportunity to individuals who seem job ready, but have a weak work history.

The W-2 agency contracts with the employer and pays the employer a subsidy with the expectation that if the W-2 participant performs satisfactorily the employer will offer that participant permanent employment.

Chapter 7 W-2 EMPLOYMENT LADDER PLACEMENTS

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A participant may participate in a Trial Job for a maximum of three months with an opportunity for a three-month extension. A participant may participate in more than one Trial Job, but may not exceed a total of 24 months of participation.

### 7.3.1 General Trial Jobs Participant Description Characteristics

A person placed in a Trial Job may have some of the following characteristics:

- Capable of working and has a willing attitude, but may require a flexible schedule or other reasonable accommodations during the Trial Job period;
- Has basic skills and/or education, but lacks sufficient work experience or skills to meet employer requirements, and the employer agrees to provide the experience or training required;
- Has little or no recent work experience or a poor work history, but the employer is willing to provide an opportunity and train the participant.

**EXAMPLE:** Mary lives in a small rural town in Wisconsin. She has two children, ages 4 months and 3 years. Mary worked at a paper mill for five years and it was well documented in her performance reviews that Mary was a good worker. Mary had to quit her job at the mill because she was put on bedrest in the third month of her pregnancy. Once Mary had her child, she was anxious to get back to the mill but, unfortunately, it had closed. A new factory had taken the place of the paper mill, but Mary was not familiar with the machinery and could not get a job there on her own. Therefore, Mary applied for W-2. Based on Mary's excellent work history with the paper mill, the job developer convinced the factory to hire Mary in a Trial Job position. After three months, Mary was hired permanently by the factory.

### 7.3.2 Trial Job Participation Requirements

Trial Job positions are generally 40 hours per week placements. However, an individual may, in unique circumstances, be placed in a Trial Job that is less than 40 hours per week. For example, if the participant requests to work only 30 hours per week because she is attending night school, even though the person will not be paid for the hours in school. The hours a person is required to work are determined by the employer, the FEP, and the participant, and must be stated in the contract. If the Trial Job is less than 40 hours per week, the subsidy is prorated based on the number of assigned hours.

### 7.3.3 Employer Wage Subsidy

A Trial Job employer will receive a wage subsidy not to exceed \$300 per month for full-time employment. The subsidy may be used flexibly at the Trial Job employer's discretion for training, transportation, to offset employment costs, etc. If a Trial Job employee begins work after the first day of the month, if the Trial Job is for less than 40 hours per week (or the employer's standard full-time week for regular employees, i.e. standard full-time work week for regular employees is 37.5 hours), or if the Trial Job employee fails to participate during the contracted period, the wage subsidy would be \$300 multiplied by the following fraction:

Chapter 7 W-2 EMPLOYMENT LADDER PLACEMENTS

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Numerator: number of hours worked in the month  
Denominator: number of hours which would be required for full-time  
employment in that month

The Department standard for the denominator is 160. Deviations from this to allow for extra work days in the month are allowable as determined by the W-2 agency.

**EXAMPLE:** If the participant is scheduled for and works 80 hours during the month, and full-time employment for that particular job is 160 hours per month, multiply 80/160 (or 1/2) by \$300 to get a \$150 wage subsidy to be paid to the Trial Job employer. On the other hand, in this same situation, if the participant is scheduled **Example cont.:** for 80 hours during the month and works only 60 hours, multiply 60/160 by \$300 to get a \$112.50 wage subsidy to be paid to the Trial Job employer.

The W-2 agency will pay the Trial Job employer a subsidy based upon the number of hours the individual worked in the month. The W-2 agency must develop procedures to verify employer documentation of the number of hours an individual worked and the amount the employer paid the individual prior to subsidizing the employer. W-2 agencies are encouraged to keep paperwork for employers at a minimum. To the extent possible, existing employer processes should be used to meet W-2 requirements. After the subsidy has been paid to the employer, the W-2 agency may claim the expenditure using established reimbursement procedures with the Department.

A Trial Job employer may not request or accept a subsidy under a Trial Job contract for a period when no wages were paid to a participant. The W-2 agency is responsible for referring any employer to the fraud investigation service provider who the W-2 agency suspects knowingly and willfully provided false or misrepresented information to obtain a Trial Job subsidy. (See 7.3.3) The W-2 agency is responsible for ensuring that Trial Job employers are aware of the penalties for fraudulently obtaining Trial Job subsidies.

#### 7.3.4 Employer Contract

The W-2 agency must complete a contract with the employer for every Trial Job placement. A specific Trial Job placement may be up to three months with an opportunity for an extension up to three months. Extensions may be granted for a specific placement when the W-2 agency determines the extension increases the likelihood that the participant will be retained as an unsubsidized employee as a result of the extension.

Each W-2 agency has the authority to develop employer contracts based on a model contract provided by the State. However, the contract must contain, at a minimum:

1. Trial Job participant's name and Social Security Number;
2. Employer's name;

Chapter 7 W-2 EMPLOYMENT LADDER PLACEMENTS

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3. Site of employment;
4. Number of hours to be worked;
5. Wage;
6. Subsidy amount;
7. Length of the contract;
8. Provision of worker's compensation by the employer;
9. Provision of unemployment compensation by the employer;
10. Agreement to provide information about Earned Income Credit (EIC);
11. Agreement to provide the same education and training opportunities available to unsubsidized employees;
12. Employer's intent to retain the employee in an unsubsidized position if the employee is successful;
13. Agreement to notify the W-2 agency by the next working day of the termination of any Trial Job participant; and
14. Employer's understanding that subsidies obtained for periods in which no wages were paid are subject to investigation and possible penalties.

**7.3.5 Intent to Retain**

The Trial Job employer must agree to make a good faith effort to retain the participant as a permanent employee after the wage subsidy has ended. If the participant meets all the expectations of the training and work assignment and presents no reason for dismissal, the person must be offered a regular unsubsidized position at the end of the subsidy period, unless, for reasons unforeseen by the Trial Job employer when the participant was placed (e.g., sluggish sales), no hiring is occurring.

W-2 agencies must monitor the retention of Trial Job participants in unsubsidized employment by Trial Job employers. Employers who routinely fail to offer unsubsidized jobs to participants who have succeeded in their Trial Job experience will not remain in good standing. W-2 agencies should not negotiate future contracts with employers who are not in good standing. Trial Job employers retain good standing if they had just cause for dismissing previous participants.

**7.3.6 Trial Job Training**

The Trial Job employer provides a structured work environment that includes close supervision, mentoring and coaching of Trial Job employees. The Trial Job employer must incorporate education and training needed for the Trial Job



Chapter 7 W-2 EMPLOYMENT LADDER PLACEMENTS

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participant to move into unsubsidized employment. Trial Job employers are expected to provide, at a minimum, the same education and training opportunities as provided to unsubsidized employees in similar circumstances. The Trial Job employer is also expected to consider other education and training opportunities that the FEP believes will help the participant succeed on the job. The Trial Job participant may access services provided by the Job Center to learn more about the long-term opportunities in the career or skill area connected with their Trial Job.

**7.3.7 Trial Job Time Records**

Time records will be kept through the employer's monthly reporting for the Trial Job subsidy.

**7.3.8 Trial Job Wages and Benefits**

The Trial Job employer must pay the participant a comparable wage received by regular employees in similarly classified positions for every hour worked. The Trial Job employer must provide the participant with benefits comparable to benefits provided to regular employees in similarly classified positions. Employers must pay at least federal or state minimum wage.

The Trial Job employer must provide worker's compensation and unemployment compensation to the same extent as regular employees as required by federal and state law.

The Trial Job employer must agree to provide information on the federal and state Earned Income Credit (EIC), including the federal advance credit. Regular EIC can only be accessed by the tax filer. Advance EIC is accessed through the employer by completing a W-5 form.

**7.4.0 WORK TRAINING PLACEMENTS**

Work training placements are intended to provide work training opportunities for individuals who are not job ready. Work training placements include Community Service Jobs (CSJ) and Transitional Placements (W-2 T). Individuals assigned to a work training placement may be required to participate in a variety of activities. Included in those activities are work experience training. The work experience placements must meet the following criteria:

- Training is similar to that given in a vocational school.
- Training is for the benefit of the trainees;
- Trainees do not displace regular employees;
- Employers derive no immediate advantage from trainees' activities;
- Trainees are not entitled to a job after training is completed; and
- Employers and trainees understand that the trainee is not paid a wage.

Chapter 7 W-2 EMPLOYMENT LADDER PLACEMENTS

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Many vocational school programs include internships, work experience opportunities, etc., that are performed on-site with an employer who provides the training needed to complete certification. Any Work Training placement with work training activities at a work training site must comply with this type of work training model. Additionally, given the lack of job readiness of the participants who are placed in work training activities, it is expected that work training providers will initially expend some effort in providing close supervision, ensuring work is done properly, re-checking the work that is done, etc. For more information on work training versus employment, see 7.4.1.10.

### 7.4.1 Community Service Jobs (CSJ)

The Community Service Job (CSJ) employment position is for individuals who are determined not ready for immediate regular employment, particularly where attempts to place a participant in an unsubsidized or Trial Job have not succeeded. CSJs are intended to provide participants with an opportunity to practice work habits and skills that are necessary to succeed in any regular job environment, including punctuality, reliability, work social skills, and the application of a sustained and productive effort. CSJ work training providers are expected to offer real work training opportunities with appropriate supervision within an environment which generally replicates that of regular employment, realizing that job coaching and mentoring may be needed to help the participant succeed. An individual is permitted to participate in more than one CSJ for a cumulative total of no more than 24 months. (See 2.3.2)

#### 7.4.1.1 General CSJ Participant Description Characteristics

Persons placed in CSJs may have some of the following characteristics:

- Are determined not ready for unsubsidized employment or a Trial Job.
- Little or no work history and/or no evidence of reliable work habits;
- Work history with frequent voluntary quits or terminations;
- Lack of skills needed to gain or maintain employment; and
- Physical or mental conditions or other personal limitations to regular employment which require time and flexibility to be resolved or stabilized, such as domestic violence, temporary illness or incapacity of self, family member, or other family crises.

**EXAMPLE 1:** Jane has two children (ages 1 and 5) and a very limited work history. She last worked a year and a half ago at a restaurant when she was forced to quit due to a difficult pregnancy. She has been off work since that time. She completed her 12<sup>th</sup> grade of school but did not receive her diploma because she failed to complete one class. She is eager to get back into the workforce, but she is worried that her limited experience and lack of high school diploma will hinder her getting a job. She is interested in the child care business and would like to become a child care provider. Jane applied for W-2. The RS assigned Jane to up-front job search. She completed 10 more contacts than required but was unable to find a job. Based on Jane's limited work history, inability to obtain a job and lack of high school diploma, the FEP places Jane in a CSJ. During her CSJ, Jane will be assigned to 10 hours per week of education in order to complete

Chapter 7 W-2 EMPLOYMENT LADDER PLACEMENTS

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her high school course work and obtain her diploma. The FEP will also assign Jane to 20 hours of work experience at the Job Center daycare site. Because the FEP can aggregate Jane's education and training hours, she will assign her to an additional 10 hours of classes to certify Jane as a daycare provider.

**Example 2.** Jennifer applied for W-2. She is 24 years old, has a high school diploma, and she completed a clerical training course a year ago. Her seven-year old son Jason has had severe behavioral problems for many years and has recently been diagnosed with Attention Deficit Disorder (ADD). Jason's doctor is currently trying to get Jason's condition stabilized using medication. Jason goes to school for a full day, but about two to three times a month Jennifer is called to pick him up because of bad behavior. Jennifer wants to work and put her clerical skills to use, but doesn't see how she can until Jason's medication stabilizes his behavior.

The FEP places Jennifer in a CSJ. The FEP designs a CSJ placement to allow Jennifer time to practice her clerical skills and provide flexibility for her to care for her son. In order to do this, the FEP sets up a CSJ worksite in the front office of Jason's school so that she is readily available if Jason begins to act out. The school is understanding of Jennifer's situation and allows her the flexibility to care for her son whenever necessary. Once Jason's medication stabilizes his behavior and Jennifer has the necessary clerical experience, the FEP will consider moving Jennifer up to the Trial Job or Unsubsidized Employment rungs of the W-2 ladder.

7.4.1.2

*CSJ Participation Requirements*

CSJ participants are generally expected to participate 40 hours per week. The FEP can require up to 30 hours per week of work training activities and up to 10 hours per week of education and training activities. Education and training hours may be aggregated to allow participants access to FEP approved education and training activities which require more than 10 hours per week. (See 8.2.0)

CSJ work training hours countable toward the maximum 30 hours of activity as approved by the FEP may include:

- Actual work training hours in the CSJ;
- Training activities conducted at the CSJ work training site; and
- Other assigned work training activities as part of the 30 hours that assist an individual in obtaining a Trial Job or unsubsidized employment, such as:
  - on-going job search activities;
  - vocational rehabilitation "employment related" activities (approved by the FEP); and
  - meetings with child support agency staff, social workers, health care professionals or other meetings approved by the FEP and necessary to prepare a participant for employment.

Although the FEP cannot assign more than 30 hours per week of work training activities and 10 hours per week of education and training (40 hours per week combined), the Employability Plan may include additional activities that would assist the CSJ participant in obtaining unsubsidized employment. Because participants

Chapter 7 W-2 EMPLOYMENT LADDER PLACEMENTS

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cannot receive a payment reduction for nonparticipation in these additional activities, these other activities should be scheduled around work training activities wherever possible. CSJ training providers should be somewhat flexible so as to allow participants to complete these activities, recognizing that one of the skills to be learned is to fit one's personal activities around work hours.

CSJ education and training hours countable toward the 10 hours of activity per week can include education and training activities approved by the FEP which will aid the transition to Trial Jobs or unsubsidized employment. The education and training hours cannot include job search. Job search must be included under the up to 30 hours per week of work training activities. (See 8.2.0)

Each CSJ placement may be scheduled for a period of up to six months with an opportunity for a three month extension in special circumstances approved by the FEP.

#### 7.4.1.3 *Kinds of CSJ Placements*

CSJ placements may be with public, private non-profit and private for-profit employers. The following is a sample list of entities which may offer opportunities for CSJ positions:

1. Municipal or other government - Jobs with easily expanded work crews. These types of jobs are appropriate because participants can be productively placed in these types of positions with little or no training, unplanned absences do not disrupt the operation, and the functions can be easily expanded or contracted depending upon the need for positions.

Example employers: housing authorities, school systems, parks and recreation, and sanitation departments

Example job tasks: public housing painting and preparation, maintenance of parks or other facilities, city gardening, neighborhood watch patrol, clean up of city property or vacant lots, graffiti removal

2. Community-based organizations and government agencies - Positions which require more supervision by the employer and more reliability and/or skill level from the employee. Participants proven to be reliable in the positions listed in the category above, but who are still not ready for private employment, may be placed into these positions. Many of these positions are currently provided through non-profit community organizations in the human services field.

Example employers: community non-profits, religious organizations, hospitals, schools, government agencies

Example job tasks: health aide, clerical or administrative aide, child care aide, teacher's aide, personal assistant, driver, outreach worker in languages other than English, elder or youth services worker

Chapter 7 W-2 EMPLOYMENT LADDER PLACEMENTS

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The W-2 agency must ensure that persons placed in positions that require a criminal background check will qualify.

3. Contract organizations - Private or public companies which bid for paid work. Non-profit and for-profit agencies provide paid contract services, such as industrial laundry, packaging and distribution, recycling recovery, cleaning and maintenance.

Example employers: private non-profits, W-2 agencies, specialized for-profits

Example job tasks: same as community-based organizations and other government

#### 7.4.1.4 *Prorated CSJs*

W-2 agencies have the option of providing prorated CSJ payments to W-2 applicants/participants who are employed in unsubsidized jobs , but only when the applicant/participant has limitations which prevent an increase in the number of hours in his/her current job or from obtaining another unsubsidized job. Placement in the prorated CSJ must be specifically designed to assist the applicant/participant in overcoming these limitations and becoming self-sufficient within a reasonable time.

##### 7.4.1.4.1 *Assessment*

Applicants who are working in an unsubsidized job less than full-time must be assessed and found to have barriers to either increasing the number of hours in their current job or from obtaining another unsubsidized job before being placed in a CSJ with a prorated payment.

During the initial assessment process, up-front job search activities may be assigned in order to determine if an applicant who is working in an unsubsidized job less than full-time has barriers which prevent an increase in the number of hours in the unsubsidized job. It is strongly encouraged that applicants for a W-2 employment position who are currently working be assigned up-front job search unless certain conditions exists that would prevent a productive search, e.g., doctor imposed limitations on work hours. Up-front job search may take place while the applicant is waiting to meet with the FEP, while submitting required verification, or while the FEP is determining if placement on the W-2 ladder is appropriate. The W-2 agency must assist both applicants and participants in their employment search.

##### 7.4.1.4.2 *General Prorated CSJ Participant Description Characteristics*

The Community Service Job placement is primarily for individuals who are determined not ready for immediate regular employment. A prorated CSJ placement may be appropriate for individuals who are already working in an unsubsidized job less than 30 hours per week and where attempts to increase the number of hours in their current job or to find additional unsubsidized employment have not succeeded due to the participant's barriers.

Chapter 7 W-2 EMPLOYMENT LADDER PLACEMENTS

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If the initial assessment reveals that the applicant has barriers that prevent them from obtaining an additional unsubsidized job or increasing the number of hours in their current job, placement in a CSJ may be appropriate.

Characteristics of an employed individual who may be appropriate for placement in a CSJ with a prorated payment include, but are not limited to, a participant who:

1. Has barriers to increased unsubsidized employment opportunities which cannot be addressed through supportive services; i.e. physical or mental barriers;
2. Has a lack of skills needed that would allow the individual to be competitive for available jobs in the unsubsidized labor market;
3. Has a sporadic work history;
4. Shows little evidence of reliable work habits;
5. Does not have a high school diploma, GED or HSED;
6. Has a work history with frequent voluntary quits or terminations.

The agency must continue to assist the participant in ongoing job search for unsubsidized employment throughout the placement in a CSJ with a prorated payment.

**EXAMPLE 1:** Brenda completed specialized paid training in repairing refrigeration parts at her current job. Once the training was complete, the employer reduced Brenda's hours to 23 hours per week. Brenda applied for W-2. After a thorough assessment and an unsuccessful job search, the FEP determines that Brenda will not be able to increase her hours at work or obtain unsubsidized employment because the job market for refrigeration repair persons is extremely limited. Also, Brenda lacks other skills that would allow her to compete for available jobs in the unsubsidized labor market. Brenda is assigned to an eight-week small engine repair course in the evenings for 10 hours per week and to 7 hours of work training activities per week during the day at the county's physical plant. Her 1/3 CSJ payment, based on less than 10 hours of work activity per week, is \$230.

**EXAMPLE 2:** Jane is a single mom with two teenagers. She works 20 hours per week as a program assistant for an insurance company. A physical disability which causes her severe pain is preventing Jane from increasing her work hours. Jane is unable to support her family on her current income and applies for assistance from W-2. After receiving appropriate documentation from her doctor concerning her work limitations and abilities, Jane is placed in a prorated CSJ position. Jane's FEP talks to her about W-2's goal of self-sufficiency and together they create an employability plan focusing on activities Jane is capable of, given her current work limitations. In pursuit of her career goal to become a technical writer, Jane is assigned to participate in a college-based writing workshop over the internet four hours per week. Jane is also assigned to attend the once-a-week meetings of a **Example cont.:** local support group which offers advice and support for dealing with her disability. In addition, Jane is referred to the agency's disability advocate to assist her in initiating an application for SSI. With her current hours of unsubsidized

Chapter 7 W-2 EMPLOYMENT LADDER PLACEMENTS

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employment at 20 hours per week and less than 10 hours of assigned work activity per week, Jane will receive a 1/3 CSJ payment of \$230 per month.
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7.4.1.4.3

*Prorated CSJ Participation Requirements*

CSJ participants are generally expected to participate 40 hours per week; however, there may be some situations in which the combination of CSJ activities and unsubsidized employment hours may be less than 40 hours per week. Typically though, 40 hours per week includes up to 30 hours per week in work training activities and up to 10 hours per week in education and training activities. CSJ participants eligible for a prorated CSJ payment are also expected to participate up to 40 hours per week in a combination of hours in their unsubsidized job, work training activities and education and training activities.

In some cases, the combination of CSJ activities and unsubsidized employment may be less than 40 hours per week, such as when the participant's limitations are severe. When a participant's limitations are severe enough, the FEP should work closely with the assessing agency or medical professional to determine the types of activities the participant can reasonably perform. However, these activities must be allowable work training hours as identified in section 7.4.1.2 of this chapter, such as vocational rehabilitation, meeting with social workers and health care professionals, etc. The participant must be assigned CSJ activities that do not interfere with the hours they are expected to work at the unsubsidized job.

Additional case management services for CSJ participants who are working in an unsubsidized job less than full time include, but are not limited to:

1. Assistance in creating a financial plan
2. Providing information about job openings
3. Arranging job interviews with employers
4. Contacting employers on the individual's behalf
5. Assessing possible eligibility for a job access loan
6. Assessing eligibility for other work programs such as the Workforce Investment Act (WIA).

7.4.1.4.4

*Prorated CSJ Payments*

A participant placed in a CSJ receives a monthly payment of \$673. A participant placed in a CSJ who is working less than full-time in an unsubsidized job may receive a prorated CSJ payment. The FEP may select one of the following three pre-set levels of a prorated CSJ payment based on the number of hours the participant has been assigned to work training hours (reported as Work Experience (WE) on WPCH):

1/3 CSJ: \$230 for **up to 10 hours** of work training and up to 10 hours of education and training per week. (Participant working in unsubsidized employment 20 to 29 hours per week.)

Chapter 7 W-2 EMPLOYMENT LADDER PLACEMENTS

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1/2 CSJ: \$341 for **11 to 15 hours** of work training and up to 10 hours of education and training per week. (Participant working in unsubsidized employment 15 to 19 hours per week.)

2/3 CSJ: \$452 for **16 to 20 hours** of work training and up to 10 hours of education and training per week. (Participant working in unsubsidized employment 10 to 14 hours per week.)

Participants working up to nine hours per week in an unsubsidized job may be granted a full CSJ payment. Participants working greater than 30 hours per week in an unsubsidized job are not generally regarded as having barriers to full-time employment. Therefore, they would not usually be eligible for a prorated CSJ. Refer to the Prorated CSJ Hours Tracking Chart located at the end of this chapter for assistance in determining the correct payment.

Initial and ongoing payments are issued according to current W-2 payment policies and procedures. (See Chapter 10). Payment reductions and strikes are handled according to current W-2 payment reduction policies and procedures. (See Chapter 11). There is no separate prorated CSJ payment clock. The CSJ clock ticks regardless of whether the participant is in a prorated CSJ or a full CSJ. (See 2.3.2).

7.4.1.5 *CSJ Placements for Parents Temporarily Unable to Care for Their Children*

CSJ participants who, for medical reasons determined by a qualified medical practitioner, are out of the home or are unable to care for their children for periods of less than 60 days may remain in a CSJ placement. The participation requirement will be to cooperate with the prescribed treatment plan.

7.4.1.6 *CSJ Administration*

The W-2 agency is responsible for identifying, creating and managing CSJ positions. CSJ placements may be with public, private non-profit and private for profit work training providers. The agency may contract for all or part of the operations.

1. CSJ positions must:

- Serve a useful public purpose or be a project of which the costs are partially or wholly offset by revenue generated from it;
- Replicate actual conditions of work;
- Have responsibilities and expectations similar to unsubsidized employees to the extent feasible; and
- Have a work training site supervisor. The work training site supervisor should provide a structured work environment to include close supervision and a willingness to mentor and coach CSJ participants to succeed in the workplace.

2. Management of CSJ positions include:

- Obtaining new work training sites;



Chapter 7 W-2 EMPLOYMENT LADDER PLACEMENTS

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- Maintaining relations with existing providers;
- Promoting entrepreneurial activities;
- Making available CSJ placements within the W-2 agency;
- Providing special or additional supervision of CSJ participants at the work training site when necessary;
- Providing or arranging for reasonable accommodations, translator or other supportive services;
- Acting as a liaison between work training providers and CSJ participants (when necessary);
- Maintaining and updating an inventory of CSJ placements;
- Providing worker's compensation coverage for all participants, except when the W-2 work training provider provides the coverage; and
- Ensuring that an adequate number of CSJs exist.

7.4.1.7 *CSJ Education and Training*

Participants in Community Service Jobs may be required to participate in education and training activities assigned as part of an Employability Plan. CSJ participants can be assigned up to 10 hours per week of education and training activities, unless aggregated. (See 8.2.1)

Education and training activities permitted within the 10 hours may include only the following:

- A course of study meeting the standards established under 115.29(4), Stats., for the granting of a declaration of equivalency of high school graduation;
- Technical college courses and other educational courses that provide an employment skill;
- Employer-sponsored training;
- English-as-a-Second Language; and
- Adult basic education courses.

A W-2 agency may assign the CSJ participant to an assessment and motivational training program for up to 40 hours per week during the first two weeks of their employment position. This activity may be in place of the participant's work training hours or education and training activities. The motivational program can require up to 40 hours of participation per week.

7.4.1.7.1 *Technical College Participation*

A FEP may place a CSJ participant in a technical college education program for up to two years, as long as it is likely to lead to employment (see 8.3.0, #5).

7.4.1.7.2 *Education for 18 and 19-year-old Parents*

When an 18 or 19-year old CSJ participant has not obtained a high school diploma or a declaration of high school graduation, the W-2 agency must allow the participant to decide whether to attend high school or to enroll in a course of study meeting the standards established under 115.29(4), Wis. Stats, in order to satisfy, in whole or in part, the required hours of participation in a CSJ.

#### 7.4.1.8 *CSJ Time Records*

The CSJ work training provider is responsible for keeping hourly time records and reporting nonparticipation to the FEP as it occurs. On a monthly basis, the W-2 agency is responsible for verifying time records of monthly participation.

The participant may be required to provide verification for education and training hours.

#### 7.4.1.9 *CSJ Payments*

The W-2 agency will issue a monthly payment of \$673 to the CSJ participant. The monthly payment of \$673 will not be prorated or otherwise reduced if the assigned hours are less than 30 hours per week of work training activities or less than 10 hours per week of education and training; however, CSJ participants are generally expected to participate 40 total hours per week. The payment will be reduced by \$5.15 for each hour that the participant fails without good cause to participate in assigned activities.

For payments to participants placed in prorated CSJs, see 7.4.1.4.4.

#### 7.4.1.10 *CSJ Placements as Employment*

The U.S. Department of Labor has stated that all federal employment laws apply to welfare employment and training participants. It is clear that W-2 participants with unsubsidized jobs and Trial Jobs are “employees” under both state and federal law. On the other hand, a CSJ participant is, by definition, a person who is not ready for unsubsidized employment. While the CSJ participant is considered to be an “employee” for the purposes of the worker's compensation law, the coverage of this law is intended to be very broad and in some cases to cover a person who is not an “employee” in other contexts.

The W-2 Agency should be aware of and conform to the standards described below for ensuring that a CSJ activity qualifies as “training” rather than “employment” for the purposes of wage withholding requirements (including FICA), the Earned Income Credit, and unemployment compensation taxes.

- The training is similar to that given in a vocational school.
- The training is for the benefit of the trainees.
- Trainees do not displace regular employees.
- Employers derive no immediate advantage from the trainees’ activities.
- Trainees are not entitled to a job after the training is completed.
- Employers and trainees understand that the trainee is not paid.

If there should be a finding that a particular CSJ activity is “employment” which results in liability for wage withholding or EIC payments under federal law, DWD’s position is that the individual is an employee of the state rather than the W-2 agency. However, it is the obligation of the W-2 agency, in following this policy, to use its best efforts to ensure that CSJ activities comply with the criteria listed above for “training.”

### 7.4.2 W-2 Transition (W-2 T)

The W-2 Transition (W-2 T) employment position is for individuals who have been determined not ready for unsubsidized employment and unable to successfully participate in one of the other W-2 employment positions for reasons such as an individual's incapacitation or the need to remain in the home to care for another W-2 group member who is incapacitated or disabled. Participants must always be placed at the highest level of participation possible. An individual can participate in a W-2 T position for a maximum of 24 months. This period may be extended on a case-by-case basis by the W-2 agency. (See 2.3.5)

#### 7.4.2.1 *General W-2 T Participant Description Characteristics*

The FEP may place an individual who has been determined unable to successfully participate in unsubsidized employment or one of the W-2 employment positions in W-2 T. Participants placed in a W-2 T must have a formal assessment, as described below, scheduled and documented in CARES within 30 calendar days. The FEP must not assume that participants who have a disability are unable to participate in an employment position other than W-2 T, including unsubsidized employment. The FEP may place a participant in a W-2 T when:

1. **The participant is determined, based on an independent assessment by a medical professional, DVR or similar qualified assessing agency or individual, to be or expected to be incapacitated for a period of at least 60 days.** Examples of incapacitation that would warrant an assessment may include:

- Physical limitations (temporary or permanent);
- Mental health limitations (temporary or permanent);
- Cognitive limitations;
- Learning disabilities; and
- Substance abuse;

The *Medical Examination & Capacity Form (DES 2012)* (or an agency-developed form that, at a minimum, has the same elements) must be used to document physical and mental limitations. (See 5.2.1). This form can be found in the DWS forms repository.

**EXAMPLE 1:** Ms. Anderson is a single parent with two children. She was a waitress until three months ago when her rheumatoid arthritis worsened to the level that she was no longer able to work. Ms. Anderson is placed in a W-2 T position and is referred for a vocational assessment. The results of the assessment show that with special sitting accommodations, rehabilitation and training, Ms. Anderson will be able to perform a sedentary job. Areas of employment recommended by the assessing agency include computer data entry, customer service, or telemarketing. Ms. Anderson and her FEP agree to revise her employability plan, emphasizing activities that will allow her to work towards a job in customer service. Her participation requirement is 27 hours per week in a rehabilitation program, which involves both physical therapy and teaches independent mobility, plus three hours of

Chapter 7 W-2 EMPLOYMENT LADDER PLACEMENTS

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work training. After completing three months of rehabilitation, Ms. Anderson is moved to a CSJ, where she is able to participate a full 40 hours per week in a combination of work training and education activities. Five months after placement in the CSJ, Ms. Anderson is successfully employed in a manufacturing company in their customer service department.

**2. The participant is needed in the home to care for another member of the W-2 group who is ill or incapacitated;**

The following steps must be taken when determining the need for a W-2 adult to remain in the home to care for a family member:

- a. Using the *Need to Care for Disabled Family Member* (DES-10786) form (or an agency-developed form that, at a minimum, has the same elements), verify the incapacity/disability of the affected family member and the **appropriateness** of day/child care outside of the home through third party sources. The FEP may consider statements from sources such as medical professionals, the Social Security Administration, Family Support Program, Birth to Three Early Intervention Program, Program for Children with Special Health Care needs, and Exceptional Educational Needs Program. Supportive adult programs under the 51.42 service board or Independent Living Centers for a physical disability or mental health issues are other verification sources. The model form is included in the DWS forms repository.
- b. Determine whether day/child care outside the home is **available** for the disabled/incapacitated family member so that the participant can engage in work training activities outside the home. The Americans with Disabilities Act (ADA) requires that any day treatment or day care facility accommodate a child or elderly person and provide reasonable accommodations for individuals with disabilities. However, where a reasonable accommodation cannot be made or the care is not available, lack of adequate child care is a good cause reason for not participating in W-2 requirements outside the home. Written documentation from one or more local day/child care providers is sufficient verification that appropriate care is not available.

**Example:** Jane Anderson applies for W-2. Jane's daughter Kathy, age 8, is in an advanced stage of leukemia. Kathy has been hospitalized numerous times over the school year and has had extended absences from school. She has an extremely fragile immune system and can no longer be exposed to other children in a school or day care setting. The FEP places Jane in a W-2 T employment position and indicates in CARES that Jane's assigned activity is to provide 38 hours per week of full-time care for her child with a disability (CD) on her EP and WPCS/WPCH. Jane indicates to her FEP that her mother is available for two hours per week so Jane can attend grief mental health counseling sessions (CM). These activities are recorded on both her EP and on WPCS/WPCH. Details of the placement are recorded on CMCC.

**3. The participant is incapable of performing a CSJ or Trial Job, as determined by the W-2 agency, for reasons which may include legal problems, family**

**crises, homelessness, domestic abuse, or children's school or medical activities.**

**Example:** Ms. Smith is a recent victim of domestic violence. She and her two children are currently residing in a domestic abuse shelter. Ms. Smith is placed in a W-2 T position. Her participation requirement is 25 hours per week: 15 hours to seek other shelter and school arrangements; 3 hours of mental health/esteem building sessions; 2 hours of family counseling; and 5 hours of child support/court order activity. These activities are recorded on both her EP and WPCS/WPCH. Additional details of the placement are recorded on CMCC.

#### 7.4.2.2 *W-2 T Participation Requirements*

Participants in W-2 T should be placed in full-time activity whenever possible; however, some individuals may be unable to participate in full-time activity. An in-depth assessment may need to be completed in consultation with appropriate professionals. (See 5.2.0.) Attendance and cooperation with an in-depth assessment may satisfy participation requirements pending the results of the assessment.

Based on the results of the assessment, which takes into consideration the limits of ability, the participant may be assigned up to 28 hours per week in W-2 T activities and 12 hours per week, unless aggregated, in education and training. (See 8.2.1.)

W-2 T work training activities approved by the FEP may include activities such as a:

- Community rehabilitation program - a program that provides directly or facilitates the provision of vocational rehabilitation to individuals with disabilities and that enables an individual with a disability to maximize opportunities for employment;
- Activities similar to a CSJ but with more supervision; or
- Volunteer activity.

Other W-2 T activities approved by the FEP may include:

- An AODA evaluation, detoxification, assessment and treatment program;
- Mental health activities, as prescribed by an appropriate health care professional;
- Counseling or physical rehabilitation activities;
- Court ordered activities;
- Activities related to obtaining shelter or retaining safety in a domestic abuse situation or other activities needed to stabilize a family;
- School activities that will provide educational support for children with special needs;
- Other activities that the agency determines are consistent with the capabilities of the participant; and
- Caring for a family member with an incapacity of such severity that without home care, the incapacitated member's health and well-being would be significantly affected, as determined by the W-2 agency.

#### 7.4.2.3 *Marginally Employed W-2 T Participants*

Chapter 7 W-2 EMPLOYMENT LADDER PLACEMENTS

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A W-2 applicant/participant who is marginally employed in an unsubsidized job only a few hours per week may also be placed in a W-2 T position when the participant has long-term, severe barriers to increasing the hours in the existing unsubsidized job or obtaining additional unsubsidized employment. In these instances, the FEP must schedule flexible activities around the unsubsidized employment. W-2 T assigned activities must be specifically designed to assist the applicant/participant in overcoming these severe barriers while maintaining flexibility and sensitivity.

**Example.** Sue Smith's son Jason, age 8, has been diagnosed with a brain disorder. Jason is able to attend school most of the time, however, the school often asks Sue to be available in the classroom or to remove Jason when he is uncontrollable. Appropriate child care is often not available during these periods. Sue is marginally employed and works approximately 10 hours per week in a small town pharmacy. Her employer has been sensitive to Sue's need for a flexible, part-time job. This situation is not likely to change for some time. Sue's FEP places her in a W-2 T position since she will not be able to move to full-time employment in a short period of time. The FEP enters her marginal unsubsidized employment as assigned activity and also assigns Sue to parenting/life skills motivational courses. (The FEP also assigns Sue to be available to care for her disabled child.)

## 7.4.2.4

*W-2 T Administration*

The W-2 agency is responsible for the creation and management of W-2 T positions. The W-2 agency is responsible for:

1. W-2 T positions which must:
  - Serve a useful public purpose or be a project of which the costs are partially or wholly offset by revenue generated from it;
  - Allow for flexibility and sensitivity for participants with employment barriers; and
  - Be managed with comprehensive supervision of participants.
2. Managing W-2 T positions, which includes:
  - Obtaining new work training sites sensitive to participants with employment barriers;
  - Maintaining relations with existing providers;
  - Providing worker's compensation coverage for all participants, except when the W-2 work training provider provides the coverage;
  - Promoting entrepreneurial activities which may prepare W-2 T participants to work in the home or out of the home;
  - Providing or arranging for reasonable accommodations, translators or other support services;
  - Making W-2 T positions available within the W-2 agency, if possible;
  - Acting as a liaison between providers and W-2 T participants (where necessary); and

Chapter 7 W-2 EMPLOYMENT LADDER PLACEMENTS

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- Ensuring that sufficient W-2 T positions are available to meet the seven-day placement requirement.

The W-2 agency may contract for all or part of the operations.

7.4.2.5 *W-2 T Education and Training*

Participants in W-2 T positions can be assigned up to 12 hours of education and training activities per week. Education and training necessary for progress up the W-2 employment ladder toward unsubsidized employment may be provided directly by the W-2 agency, W-2 T work training provider, and/or educational/training agencies capable of responding to the needs of the participant. Education and training activities should be designed to meet the needs of the individual W-2 T participant.

Education and training activities permitted within the 12 hours may include only the following:

- A course of study meeting the standards established under 115.29(4), Stats., for the granting of a declaration of equivalency of high school graduation;
- Technical college courses and other educational courses that provide an employment skill;
- Employer-sponsored training;
- English-as-a-Second Language; and
- Adult basic education courses.

W-2 T participants may be required to participate in an assessment and motivational training identified by the Community Steering Committee for up to 40 hours per week during the first two weeks of their employment position assignment to the level of their ability. This participation may be in place of the participant's work training hours or activities.

7.4.2.5.1 *Technical College Participation*

A FEP may place a W-2 T participant in a technical college education program for up to two years, as long as it is likely to lead to employment (see 8.3.0, #5).

7.4.2.6 *W-2 T Time Records*

The participant may be required to provide verification for education and training hours as well as other hours in W-2 T activities. The W-2 T work training provider is responsible for keeping hourly time records and reporting nonparticipation to the FEP as it occurs. On a monthly basis, the W-2 agency is responsible for verifying time records of monthly participation.

7.4.2.7 *W-2 T Payments*

The W-2 agency issues a monthly payment of \$628 to the W-2 T participant if all participation requirements are met. The monthly payment of \$628 will not be prorated or otherwise reduced if the hours assigned are less than 28 hours per

week of work training activities or less than 12 hours per week of education and training. Payments will be reduced by \$5.15 for each hour that the participant fails without good cause to participate in assigned activities. (See 11.3.0.)

## **7.5.0 CUSTODIAL PARENT OF AN INFANT (CMC)**

A custodial parent of an infant who is 12 weeks old or less and who meets the financial and nonfinancial eligibility requirements for W-2 employment positions may receive a monthly payment of \$673 and will not be required to participate in an employment position unless he/she volunteers to participate. It is expected that a single parent probably could not maintain full-time employment and care for a child less than 12 weeks old at the same time. W-2 provides a placement for these single parents so they can stay at home and care for the child during the first few months of the child's life. This policy is based on the Family Medical Leave Act with the exception that the W-2 placement offers income support during the first 12 weeks of the child's life.

### **7.5.1 Eligibility for CMC**

In order to be eligible for a Custodial Parent of an Infant (CMC) payment, the custodial parent must meet all W-2 nonfinancial and financial eligibility requirements (See Chapters 2 & 3). In addition, a custodial parent of an infant must meet the following criteria:

- Have a child 12 weeks old or less; and
- No other adult member of the custodial parent's W-2 group can be participating or eligible to participate in a W-2 employment position or be working in an unsubsidized job.

### **7.5.2 Placement in CMC**

Whether or not an individual is appropriate for placement in unsubsidized employment is a factor for placement in a W-2 employment position; however, that same standard is not appropriate for placement in CMC. If an individual meets the eligibility criteria described in 7.5.1, the FEP must place the participant in the CMC placement.

Once the parent has been determined eligible for the CMC payment, the FEP can encourage the participant to volunteer for appropriate services such as parenting classes, budgeting classes, family planning services and, once appropriate, even job search. However, these services cannot be mandatory activities while the participant is in the CMC placement. Whether or not an individual accepts these services must not be used as a basis for eligibility determination.

### **7.5.3 CMC Verification and Payment**



Chapter 7 W-2 EMPLOYMENT LADDER PLACEMENTS

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Individuals placed in CMC will receive a monthly payment of \$673. Although the participant may volunteer for appropriate services and activities, failure to participate must not result in a payment reduction.

The W-2 agency must have verification from a participant of a child's birth prior to placing him or her into the CMC placement. Medical verification requiring the individual to be in the home for 12 weeks is not necessary.

For initial applications, the payment begins as of the W-2 begin date. The CMC W-2 begin date is either the birth date of the child or the date of application, whichever is later. An applicant has seven days to provide appropriate verification. If the applicant provides verification within that timeframe, the placement should begin as of the date of application but no earlier than the date of birth. The agency has the option of extending the verification period up to 30 days and may still backdate the placement back to the date of the application. (See Verification, 4.1.0) If the birth is after the 15th of the month, the initial payment should be prorated.

**Example 1:** Mary gives birth on April 14th. On April 21<sup>st</sup>, she applies for the Custodial Parent of an Infant (CMC) payment. Because she did not bring in verification of the birth at application, Mary's FEP instructs her to bring in verification no later than April 28<sup>th</sup>. Mary brings in her verification on April 25<sup>th</sup>. Mary is placed in CMC effective April 21<sup>st</sup>, the date of application.

Chapter 7 W-2 EMPLOYMENT LADDER PLACEMENTS

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**Example 2:** Joan applies for the Custodial Parent of an Infant payment on May 5<sup>th</sup> because her baby is due on May 8<sup>th</sup>. The FEP processes the application and informs Mary to bring in verification of the baby's birth as soon as possible. Joan's baby is born on the 8<sup>th</sup> and she brings verification of birth to the FEP on May 12<sup>th</sup>. Joan is placed in CMC effective May 8<sup>th</sup>, the date of the baby's birth.

For ongoing applications, a participant has 10 days to report a change in circumstances. If the change (the birth of the baby) is reported within this timeframe, the payment should begin as of the date of the child's birth. If it is reported outside of 10 days, the FEP determines whether or not the payment begins as of the date of the child's birth or when the parent verified the birth. The FEP should consider whether or not circumstances prevented the parent from reporting the child's birth within 10 days.

See 10.2.4.1 regarding issuing CMC payments when a participant moves between CMC and other W-2 paid placements.

#### 7.5.4 60-Month and 24-Month Clocks for CMC

See 2.3.1.2 to determine when the Custodial Parent of an Infant placement ticks the 24-month and 60-month clocks. During eligibility, if the FEP determines that placement in CMC will tick the individual's 24-month and 60-month clocks, the FEP must explain the impact this will have on the family's eligibility for future W-2 benefits.

See 2.3.5.1.1 for information on CMC and 24-month or 60-month extensions.

#### 7.5.5 Ending CMC

Once a participant's child reaches 12 weeks of age, the parent is expected to join the workforce, like other parents of young children or, if otherwise eligible, can be placed in a W-2 employment position. Therefore, the CMC placement must end 12 calendar weeks (7 days x 12 weeks = 84 days) after the child is born. CMC cannot extend beyond the date the child turns 12 weeks of age regardless of the date the CMC placement begins. The FEP may want to set a CARES worker alert to remind him or her to change the CMC placement on the appropriate day.

**Example:** Joan applies for the Custodial Parent of an Infant payment on December 28th because her baby is due on January 1st. The FEP processes the application and informs Mary she must bring in verification of the baby's birth as soon as possible. Joan's baby is born on the 1st and she brings verification of birth to the FEP on January 7th. Joan is placed in CMC effective January 1st, the date of the baby's birth. Joan will no longer be eligible for CMC on March 26, which is 12 calendar weeks from the date the child was born.

Once a participant's child reaches 12 weeks of age, if the participant moves immediately into unsubsidized employment from the CMC placement, the FEP must

Chapter 7 W-2 EMPLOYMENT LADDER PLACEMENTS

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offer the participant follow-up case management services regardless of nonfinancial and financial eligibility criteria. If the participant returns to work full-time and accepts follow-up services, he or she must be placed in CMF (7.1.3). If the participant accepts follow-up case management services, the FEP must provide these services for at least 6 months to encourage and support job retention. See 10.2.4.2 regarding issuing CMC payments when a participant moves between CMC and case management placements.

If the participant does not accept case management services, the W-2 case should be closed. When a CMC placement ends prior to the end of a participation period and the participant no longer requests W-2 services, the FEP must close the W-2 assistance group and issue a prorated payment rather than sanction for the remaining days in the participation period. In these situations, the FEP must follow the process for correct prorated payments by running eligibility with dates to get correct partial payment. (See CARES Guide for more information).

If the participant returns to work part-time, the FEP may consider placing the participant in a prorated CSJ placement (7.4.1.4), if appropriate, as determined by an assessment.

There may be situations in which a CMC participant chooses to return to work *prior* to his or her child reaching 12 weeks of age. If the participant chooses to return to work part-time, again, the FEP may consider placing the participant in a prorated CSJ placement, if appropriate, as determined by an assessment. If the participant chooses to return to work full-time and accepts case management follow-up services, he or she must be placed in CMF. If the participant does not accept case management services, the W-2 case should be closed.

See 10.2.4.1 regarding CMC payments when a participant moves from a W-2 subsidized employment position to CMC.

## Chapter 7 W-2 EMPLOYMENT LADDER PLACEMENTS

**PRORATED CSJ HOURS TRACKING CHART**

		Hours in Unsubsidized Job	Maximum Work Activities	Maximum Education & Training	Total
Full CSJ \$673.00		1	29	10	40
		2	28	10	40
		3	27	10	40
		4	26	10	40
		5	25	10	40
		6	24	10	40
		7	23	10	40
		8	22	10	40
		9	21	10	40
2/3 CSJ \$452.00		10	20	10	40
		11	19	10	40
		12	18	10	40
		13	17	10	40
		14	16	10	40
1/2 CSJ \$341.00		15	15	10	40
		16	14	10	40
		17	13	10	40
		18	12	10	40
		19	11	10	40
1/3 CSJ \$230.00		20	10	10	40
		21	9	10	40
		22	8	10	40
		23	7	10	40
		24	6	10	40
		25	5	10	40
		26	4	10	40
		27	3	10	40
		28	2	10	40
		29	1	10	40
Generally Not Eligible		30	0	0	30
		31	0	0	31
		32	0	0	32
		33	0	0	33
		34	0	0	34
		35	0	0	35
		36	0	0	36
		37	0	0	37
		38	0	0	38
		39	0	0	39
		40	0	0	40